THE HON'BLE MS JUSTICE G. ROHINI

Writ Petition No. 12719 of 2003

Date: 18.07.2007

Between:

K. Chandrabhushana Rao.

..... PETITIONER

AND

The Joint Collector, Guntur and others.

.....RESPONDENTS

THE HON'BLE MS JUSTICE G. ROHINI

Writ Petition No. 12719 of 2003

Order:

The petitioner herein is the authorized dealer of the Fair Price Shop of Ganapavaram village, Nadendla Mandal, Guntur District. His authorization was cancelled, vide proceedings dated 30.11.2001 of the 2nd respondent - Revenue Divisional Officer, Narsaraopet. Aggrieved by the same, the petitioner preferred an appeal before the 1st respondent – Joint Collector, Guntur. The said appeal was disposed of, by an order dated 21.10.2002, thereby remanding the matter to the 2nd respondent -Revenue Divisional Officer, Narsaraopet, to make further enquiry with reference to sales register maintained by the petitioner. Pursuant thereto, enquiry is pending before the 2nd respondent – Revenue Divisional Officer, Narsaraopet. However, the 2nd respondent issued the impugned notification dated 16.06.2003 inviting applications from the interesting candidates for appointment of permanent dealer of the shop in question. The said order is under challenge in this writ petition contending *inter alia* that since the 2nd respondent has not yet completed the enquiry as directed by the 1st respondent, no fresh appointments could be made in respect of the shop in question.

This court, while directing Rule Nisi, by order dated 02.07.2003, passed the interim order as under:

> "If no further orders are passed consequent to the orders of the Joint Collector and Additional District Magistrate, Guntur dated 21.10.2002, no further steps shall be taken in pursuance of the impugned notification notifying applications for appointment of Fair Price Shop Dealer."

The said order is in operation through out and no counter affidavit is filed by the respondents so far.

Having regard to the facts and circumstances of the case, and in the absence of any counter affidavit, I deem it appropriate to dispose of the writ petition in terms of the interim order dated 02.07.2003 extracted above. No costs.

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G. ROHINI, J.

Date: 18.07.2007
Nsr